

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____
MAGISTRATE DIVISION

Petitioner,)	Case No. _____
)	
vs.)	90 DAY
)	OTHER _____
)	
Respondent (<i>Restrained Person</i>).)	PROTECTION ORDER
)	

Petitioner Appeared: Yes No Represented by: _____

Respondent Appeared: Yes No Represented by: _____

The Respondent agreed to entry of a protection order.
The Court found, after a hearing, that a protection order should be issued.
The parties have agreed to the entry of this order as a mutual protection order and it applies equally to both parties (as though a separate Petition had been filed by Respondent requesting a Protection Order against Petitioner).
The Court finds that the original Petitioner is the abuser and the original Respondent is the victim of domestic violence. The original Petitioner shall be the Respondent and the original Respondent shall be the Petitioner.

THE COURT FINDS:

- (1) The Court has jurisdiction over the parties and the subject matter.
- (2) The person(s) protected by this order are:

Petitioner.
Minor child/ren (*first and last names*): _____

- (3) The Respondent was given reasonable notice of the application for protection order and had an opportunity to be heard.
- (4) There is an immediate and present danger of domestic violence to the Protected Person(s).

Warnings:

This order shall be enforced, even without registration, by the courts of all fifty (50) states, the District of Columbia, the U.S. Virgin Islands and any territory or insular possession subject to the jurisdiction of the United States and may be enforced on Tribal Lands (18 U.S.C. 2265). Crossing state, territorial or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. 2262). Federal law provides penalties for possessing, transporting, shipping or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)).

VIOLATION OF ANY PROVISION OF THIS ORDER BY THE RESPONDENT OR A PERSON WHO
IS RESTRAINED BY THIS ORDER, WHICH COULD INCLUDE THE PROTECTED PERSON, AFTER

ACTUAL NOTICE OF ITS TERMS, IS A MISDEMEANOR AND MAY RESULT IN ARREST AND SENTENCING FOR UP TO ONE (1) YEAR IN JAIL AND A FIVE THOUSAND DOLLAR (\$5,000) FINE, EVEN IF THE PROTECTED PERSON CONSENTS TO THE VIOLATION.

THE COURT ORDERS:

1. **Expiration Date.** This order shall expire at 11:59 p.m. on _____.

2. **Personal Conduct Order.** Respondent shall not contact, either directly or indirectly; molest; menace; threaten, attempt or commit, (either in person or through any other person) any act of physical injury, sexual abuse, or forced imprisonment upon:

[01]

The Protected Person

The minor child/ren residing in the Protected Person's household.

To further the protection of the Protected Person no Protected Person shall contact Respondent, either directly or indirectly.

Because this is a mutual Protection Order, Protected Person/s shall not contact, either directly or indirectly; molest; menace; threaten, attempt or commit, (either in person or through any other person) any act of physical injury, sexual abuse, or forced imprisonment upon Respondent.

[05]

Exceptions are:

to meet with or through attorneys or during legal proceedings

contact by telephone to arrange visitation of the child/ren

contact by telephone between _____ .m. and _____ .m. on

_____ for the following purposes: _____

to participate in counseling/mediation, if Court ordered

to respond to an emergency involving the child/ren

Other: _____

3. **Stay-Away Order.** Respondent shall not, **EVEN IF INVITED BY THE PROTECTED PERSON,**

go to: go within _____ feet of:

Protected Person's residence at _____

Protected Person's school campus or work place at _____

Protected Person's child/ren's school campus or work place at _____

Other: _____

[04]

4. **Move-out Order.** Respondent is ordered to move from the residence at _____
[03] _____ within _____ hours of the time you are
served with this order and take from the residence only items needed for employment and necessary
personal effects (at peace officer's discretion).

5. **Child custody.** Custody of the minor child/ren is awarded
as provided in the existing child custody order/divorce decree entered _____
as follows:

[06]

Name of Child (first, middle initial, last)	Birth Date	Sex	Custody Awarded To

Protected Person Respondent
[09] shall NOT have the child/ren until further order of the Court
shall have the child/ren as follows (*list days, times and conditions*): _____

[06] _____

supervised by: _____

neutral drop off/pick up location: _____

child/ren to be transported by: _____

Neither party shall remove the child/ren from _____

6. **Law enforcement assistance.** Peace officers are instructed to enforce this Court order by all
necessary means, including arrest.

Law enforcement officers are ordered to:

Remove the Respondent from the residence at _____. **The time for removal shall be at
the peace officer's discretion,** but no later than _____ hours after service of this order.

Place the Protected Person in possession of the residence at _____

Supervise the removal of Protected Person's Respondent's items needed for employment
and necessary personal effects (at peace officer's discretion) from the residence.

7. **Conflicting Orders.**

If any term of another order conflicts with any term of this order you must follow the more restrictive term.

After this order is entered, a Court in another case may enter an order changing custody, support or property. The terms of any such order will control over any conflicting terms in this order.

8. **Changes by parties.** This order **cannot** be changed except by Court order.

9. **Change in address.** The parties shall at all times keep the Court informed of their current mailing addresses.

10. **Treatment/Counseling.**

Within _____ days of this order, Respondent shall report to _____ and participate and complete all scheduled treatment or counseling. A written report shall be submitted to the Court within _____ days of this order.

11. **Future notices.**

The parties have waived their right to personal service and agreed that all future notices of hearing may be served by certified mail.

12. **Other:** _____

[07] _____

[08] _____

13. **Order to clerk.** It is further ordered that the clerk of the court shall forward a copy of this order to the appropriate law enforcement agency for immediate entry into record systems and service upon Respondent, if not previously served; and the clerk shall deliver or mail a copy of this order to the Petitioner.

Date: _____ Signed: _____
Judge

I have received a copy of this order.

Signed: _____ Date: _____
Petitioner

Signed: _____ Date: _____
Respondent

ATTENTION: KEEP A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST PEACE OFFICERS. IMMEDIATELY REPORT ANY VIOLATION OF THIS ORDER TO LAW ENFORCEMENT.